



FROST BROWN TODD, LLC  
2200 PNC CENTER  
201 E. FIFTH STREET  
CINCINNATI OH 45202

**COPY MAILED**

DEC 04 2006

**OFFICE OF PETITIONS**

In re Application of	:	
Burgin et al.	:	
Application No. 09/944,676	:	ON PETITION
Filed: August 31, 2001	:	
Attorney Docket No.: 1160215/0474949	:	

This is a decision on the petition under 37 CFR 1.137(b), filed September 27, 2006, to revive the above-identified application.

This petition is hereby **Dismissed**.

Any request for reconsideration must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** final agency action within the meaning of 5 U.S.C. §704.

This above-identified application became abandoned for failure to timely file a reply to the non-final Office Action of March 17, 2006. The non-final Office Action set a three (3) month shortened statutory period for reply. A two month extension of time was obtained under the provisions of 37 CFR §1.136(a). Accordingly, this application became abandoned on August 18, 2006. A Notice of Abandonment was mailed on October 3, 2006.

The petition has **not** been reviewed on the merits because the petition provided has not been signed.

Pursuant to 37 CFR 1.33, amendments and other papers, except for written assertions pursuant to § 1.27(c)(2)(ii) of this part, filed in the application must be signed by:

- (1) A registered attorney or agent of record appointed in compliance with § 1.34(b);

- (2) A registered attorney or agent not of record who acts in a representative capacity under the provisions of § 1.34(a);
- (3) An assignee as provided for under § 3.71(b) of this chapter; or
- (4) All of the applicants (§ 1.41(b)) for patent, unless there is an assignee of the entire interest and such assignee has taken action in the application in accordance with § 3.71 of this chapter.

The signature on the petition is not a proper electronic signature. The signature contains double slashes. The electronic signature must consist only of letters of the English alphabet, or Arabic numerals, or both, with appropriate spaces and commas, periods, apostrophes, or hyphens for punctuation. The person signing the correspondence must personally insert the electronic signature with a first single forward slash mark before, and a second single forward slash mark after, the electronic signature (e.g., /Dr. James T. Jones, Jr. /).

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

A handwritten signature in black ink, appearing to read "Charlema R. Grant". The signature is fluid and cursive, with the first name "Charlema" being more prominent and the last name "Grant" following in a similar style.

Charlema R. Grant  
Petitions Attorney  
Office of Petitions